

|   |   |   |
|---|---|---|
| SUBSTITUTE FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  |   | ATTORNEY'S DOCKET NUMBER  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b> |   | 15246.0002  |
| INTERNATIONAL APPLICATION NO.<br>PCT/AU03/00466   | INTERNATIONAL FILING DATE<br>April 17, 2003 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/511550</b> |
| TITLE OF INVENTION<br>PRESERVATION PROCESS  |   | PRIORITY DATE CLAIMED<br>April 18, 2002                             |
| APPLICANT(S) FOR DO/EO/US<br>Druce Barry Batstone   |   |   |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98 and Form PTO 1449 (2 pages) with Int'l Search Report (3 pages) and 4 attached references.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A preliminary amendment (3 pages).
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18.  A second copy of the published international application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20.  Other items or information:  
 Ck. No. 378036 in the amount of \$950.00, 1 Serial No. Postcard (for return) w/listing of the submitted items and 1 Application Cover Sheet  
 Copy of PCT Request (5 pages)  
 Copy of PCT/AU03/00466 as published with Search Report (25 pages)  
 Copy of PCT Chapter II Demand (3 pages)  
 Copy of PCT Int'l. Preliminary Report (3 pages)

|   |   |   |                           |
|---|---|---|---------------------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/511550</b>   | INTERNATIONAL APPLICATION NO.<br>PCT/AU03/00466 | ATTORNEY'S DOCKET NUMBER  |                           |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:   |   | <b>CALCULATIONS PTO USE ONLY</b>  |                           |
| <b>Basic National Fee ( 37 CFR 1.492 (a) (1) - (5)): </b>   |   |   |                           |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1110.00</b>  |   |   |                           |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b>   |   |   |                           |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... <b>\$790.00</b>   |   |   |                           |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... <b>\$750.00</b>  |   |   |                           |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>   |   |   |                           |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |   |   |                           |
| <b>\$1110.00</b>  |   |   |                           |
| Surcharge of <b>\$130</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  |   |   |                           |
| <b>\$130.00</b>   |   |   |                           |
| CLAIMS  | NUMBER FILED                                    | NUMBER EXTRA  | RATE                      |
| Total Claims  | 40 - 20 =                                       | 20  | x \$18                    |
| Independent Claims  | 1   | 0   | x \$88                    |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable)  |   | + \$300   |                           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |   |   | <b>\$1900.00</b>          |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |   |   |                           |
| <b>SUBTOTAL =</b>   |   |   | <b>\$950.00</b>           |
| Processing fee of <b>\$130</b> for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))  |   |   | <b>\$0.00</b>             |
| <b>TOTAL NATIONAL FEE =</b>   |   |   | <b>\$950.00</b>           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +   |   |   | <b>\$0.00</b>             |
| <b>TOTAL FEES ENCLOSED =</b>  |   |   | <b>\$950.00</b>           |
|   |   |   | Amount to be refunded: \$ |
|   |   |   | charged: \$               |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <b>\$950.00</b> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 19-4293 in the amount of <b>\$0.00</b> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No 19-4293. A duplicate copy of this sheet is enclosed.</p> |   |   |                           |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.  |   |   |                           |
| SEND ALL CORRESPONDENCE TO:   |   |   |                           |
| STEPTOE & JOHNSON LLP<br>Attn: Docket Administrator - Box USPTO<br>1330 Connecticut Avenue, NW.<br>Washington, DC 20036   |   | <br>SIGNATURE<br>Harold H. Fox<br>NAME |                           |
| Tel. (202) 429-3000<br>Fax (202) 429-3902   |   | 41,498<br>REGISTRATION NUMBER   |                           |